

06-03-05

1761

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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## TRANSMITTAL FORM

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|--|--|------------------------|------------------------|
|  |  | Application Number     | 10/054,093-Conf. #3598 |
|  |  | Filing Date            | January 22, 2002       |
|  |  | First Named Inventor   | Linh M. Bui            |
|  |  | Art Unit               | 1761                   |
|  |  | Examiner Name          | Not Yet Assigned       |
| Total Number of Pages in This Submission |  | Attorney Docket Number | HO-P02206US0           |

### ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                             |          |        |
|--------------|-----------------------------|----------|--------|
| Firm Name    | FULBRIGHT & JAWORSKI L.L.P. |          |        |
| Signature    |                             |          |        |
| Printed name | Melissa W. Acosta, Ph.D.    |          |        |
| Date         | June 2, 2005                | Reg. No. | 45,872 |

### Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 671534438 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 2, 2005

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Dated: June 2, 2005

Signature:

Julie Erwin

(Julie Erwin)

Docket No.: HO-P02206US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Linh M. Bui et al.

Application No.: 10/054,093

Confirmation No.: 3598

Filed: January 22, 2002

Art Unit: 1761

For: **WEIGHT MANAGEMENT SYSTEM FOR  
OBESE ANIMALS**

Examiner: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

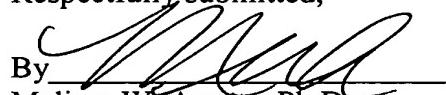
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02206US0.

Dated: June 2, 2005

Respectfully submitted,

By

  
Melissa W. Acosta, Ph.D.

Registration No.: 45,872

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PTO/SB/08A (10-01)

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|-------------------------------|---|----|---|--------------------------|------------------|
| Substitute for form 1449A/PTO |   |    |   | <b>Complete if Known</b> |                  |
|                               |   |    |   | Application Number       | 10/054,093       |
|                               |   |    |   | Filing Date              | January 22, 2002 |
|                               |   |    |   | First Named Inventor     | Linh M. Bui      |
|                               |   |    |   | Art Unit                 | 1761             |
|                               |   |    |   | Examiner Name            | Not Yet Assigned |
| Sheet                         | 1 | of | 1 | Attorney Docket Number   | HO-P02206US0     |

| <b>U. S. PATENT DOCUMENTS</b> |                       |  |                                |  |  |
|-------------------------------|-----------------------|--|--------------------------------|--|--|
| Examiner Initials*            | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant<br>of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|                               |                       | Number-Kind Code <sup>2</sup> (if known) |                                |  |  |
| AA                            | US-5,554,646          |  | 09-10-1996                     | Cook   |  |
| AB                            | US-5,760,082          |  | 06-02-1998                     | Cook   |  |
| AC                            | US-6,015,833          |  | 01-18-2000                     | Saebo  |  |
| AD                            | US-6,020,378          |  | 02-01-2000                     | Cook   |  |
| AE                            | US-6,060,514          |  | 05-09-2000                     | Jerome   |  |
| AF                            | US-6,214,372          |  | 04-10-2001                     | Jerome   |  |
| AG                            | US-6,225,486          |  | 05-01-2001                     | Saebo  |  |
| AH                            | US-6,242,621          |  | 06-05-2001                     | Jerome   |  |
| AI                            | US-6,333,353          |  | 12-25-2001                     | Saebo  |  |
| AJ                            | US-6,380,409          |  | 04-30-2002                     | Saebo  |  |
| AK                            | US-6,410,761          |  | 06-25-2002                     | Saebo  |  |

| <b>FOREIGN PATENT DOCUMENTS</b> |                       |   |                                |  |  |
|---------------------------------|-----------------------|---|--------------------------------|--|--|
| Examiner Initials*              | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|                                 |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |  |  |
| BA                              | GB-2 355 382          |   | 04-25-2001                     | Lowe   |  |
| BB                              | WO-02/056702          |   | 01-17-2002                     | Sergheraert  |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

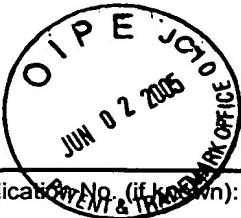
<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                       |  |  |  |                |
|--|-----------------------|--|--|--|----------------|
| Examiner Initials*                     | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  | T <sup>2</sup> |
|  | CA                    | Blanchard et al., "Dietary L-Carnitine Supplementation in Obese Cats Alters Carnitine Metabolism and Decreases Ketosis during Fasting and Induced Hepatic Lipidosis," <i>Journal of Nutrition</i> , 132(2): 204-210, 2002.                                     |  |  |                |
|  | CB                    | Resnick, "Effects of feeding a high-protein diet and an all-meat diet on the hemogram of the dog," <i>Veterinary Medicine and Small Animal Clinician</i> , 69(1): 70, 72-74, 1974.   |  |  |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|



Application No. (if known): 10/054,093

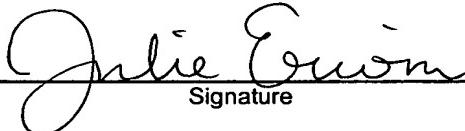
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Transmittal (1 page)  
Supplemental Information Disclosure Statement  
IDS (Citation) by Applicant